



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

New York Regional Office
Brookfield Place, 200 Vesey Street, Suite 400
New York, NY 10281-1022

**DIVISION OF
ENFORCEMENT**

David Stoelting
Senior Trial Counsel
(212) 336-0174 (direct)
(212) 336-1324 (fax)

October 8, 2013

BY ECF/UPS

The Honorable Paul A. Crotty
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *SEC v. Harbinger Capital Partners LLC, et al., 12-cv-5028 (PAC)*

Dear Judge Crotty:

On behalf of the parties, I enclose a proposed Confidentiality Order, which has been signed by counsel for each of the parties, for the Court's review and approval. While deposition discovery is currently stayed pending resolution of defendant Peter Jenson's motion to dismiss, we believe that entry of the Confidentiality Order will promote efficiency with respect to document discovery.

Respectfully submitted,

A handwritten signature in black ink that reads "David Stoelting".

David Stoelting

cc (via email): Robert W. Pommer (counsel for Peter A. Jenson)
David Fleissig (counsel for Philip A. Falcone and Harbinger Capital Partners LLC)